THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO.15193 OF 2000

DT.05-07-2006

Between:

Visakhapatnam Port & Dock Workers Union,'
Represented by its Vice President
Mr.K.Veerabadhrarao, Aged 45 years,
residing at D.No.45-40-42, Main Road,
Akkayyapalem, Visakhapatnam-530 016 and 8 others

.. Petitioners

A n d

The Board of Turstees,
Visakhapatnam Port Trust,
Visakhapatnam-35 and 2 others

… Respondents

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ORDER:

The writ petition is filed with the following prayer:

"For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon'ble Court may be pleased to issue an Order, Direction or a Writ one in the nature "Mandamus" declaring the action of respondents and denying the promotion the post of Design Assistant by calling for more candidates to the selection by direct recruitment to the post of Design Assistants (Class-III) to be held on dt.18-08-2000 in pursuance of Circular CE/E-III/F/Design Assistant/99, dt.28-02-2000 of the 3rd respondent as illegal, arbitrary and against

the provisions of the Recruitment Rules of the respondents' organization and consequently direct the respondents to allow the petitioners and like candidates for the selection to the post of Design Assistant (Class-III) to be held on 18-08-2000 in pursuance of the No.

CE/E-III/F/Design Assistant/99, dated 28-02-2000 of the 3rd respondent and appoint them by converting the Design Assistants (Class-III) post as promotional post or as an alternate direct the respondents to convert the Design Assistant (Class-III) posts as Draughtsman 'B' posts, and award costs of this Writ Petition, and pass such other relief or reliefs as this Hon'ble Court may deems fit, just and necessary in the circumstances of the case."

The following order is made in W.P.M.P.No.19264 of 2000:

"Any selection made shall be subject to the result of the writ petition"

It follows without saying that the selection process was already over. The prayer in the WPMP and the writ petition is to allow the petitioners and the like candidates for selection to the post of Design Assistant (Class-III) to be held on 18-08-2000. If selections were made contrary to law, the writ petitioners can always challenge the selections. No purpose will be served by keeping this writ petition pending. In the circumstances, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

Date: 05-07-006.

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M.VENKATESWARA REDDY,J

Lrkm.